

***Advocacy Recommends that USCIS Revise New Rule to Allow More International Entrepreneurs to Qualify to Stay in the United States***

On October 14, the Office of Advocacy (Advocacy) filed a comment letter with the United States Citizenship and Immigration Services (USCIS) regarding its proposed rule entitled, *International Entrepreneur Rule*. A complete copy of Advocacy's letter to DOL may be accessed at: <http://www.sba.gov/advocacy/>.

- USCIS released a proposed rule that would amend its regulations to allow international entrepreneurs to use an immigration program called parole to gain temporary entry in the United States to work, expand their start-up business, and create jobs. Under this proposed rule, entrepreneurs may be granted an initial stay of two years and seek a subsequent request for re-parole for up to three additional years.
- To qualify for the initial stay of two years, an entrepreneur must have a significant ownership stake (at least 15 percent) of a start-up entity formed within the 3 years before the application for parole. The entrepreneur must also show that the business has a substantial and demonstrated potential for business growth as evidenced by receiving, within one year before the application: a) at least \$345,000 from one or more qualified investors; or b) at least \$100,000 through one or more qualified government grants; or c) alternate criteria that show rapid growth or job creation.
- Advocacy held a roundtable in Washington D.C. attended by small businesses and other interested parties and performed other outreach to the international entrepreneur community. While most expressed support for the goals of the rule, they were concerned that the strict requirements may be too difficult for international entrepreneurs to take advantage of it. Roundtable participants were concerned that the capital investment threshold was too high, the qualified investor definition was too strict, and needed clarification on the parole procedures. Advocacy recommended alternatives and clarifications that would improve the feasibility of this program and would allow more international entrepreneurs with innovative start-ups to qualify to stay in the United States.

For more information, visit Advocacy's webpage at <http://www.sba.gov/advocacy>, or contact Assistant Chief Counsel Janis Reyes by email at [Janis.Reyes@sba.gov](mailto:Janis.Reyes@sba.gov) or by phone at 202-205-6533.